

REMARKS

1-7 are present in this application. Claims 1 and 7 are independent claims.

Request for Listing of Newly Cited Reference

Newly cited references have been used as a basis for new grounds of rejection. However, the newly cited reference of Davis, U.S. Application Publication 2002/0001395, and of Tsang, U.S. Patent 6,510,002, have not been listed in a Form PTO-892. **Applicant requests that a Form PTO-892 be prepared that lists the newly cited reference Publication No. 2002/0001395.**

§ 103(a) Rejection – Davis, Parulski

Claims 1-3, 5, and 6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Application Publication 2002/0001395 (Davis; newly cited) and U.S. Application Publication 2003/0058354 (Parulski). Applicant has amended claim 1. Applicant respectfully traverses this rejection based on the claims as amended.

Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis and Parulski, and further in view of U.S. Patent 6,965,413 (Wada). At least because of the dependency of claim 4 on claim 1, Applicant submits that claim 4 is patentable for the reasons provided for claim 1.

In the Amendment filed October 2008, claim 1 had been amended to recite, among other things, “a display section that displays the image represented by the image data in a two dimensional mode or a three dimensional mode according to whether dimensional information included in the attributes memorized in the second memory represents a two dimensional image or a three dimensional image.”

The Office Action refers to paragraphs 39 and 177 of Davis for teaching this claimed feature. Paragraph 39 discloses I/O devices including a display 24, having display screen 36. Paragraph 177 does not disclose further details of the display 24, and instead describes media

signals as including audio, video, and computer graphic models). Based on the disclosure in Davis, Applicant submits that display 24 is a conventional two-dimensional display device.

The present application relates to an electronic apparatus capable of displaying an image stereoscopically observed based on parallax image data for left and right eyes respectively. ("Field of the Invention"). An example of the display device of the present application that displays three-dimensional images as stereoscopic images is shown in Fig. 3. A problem addressed in the present application is a delay in changing settings on the display device for displaying between a 2D image and a 3D image. The delay occurs because the file extension for a 2D image and a 3D image is the same, or does not distinguish the type of image as 2D or 3D. Subsequently, determination that image data is 2D or 3D would require analysis of the image data itself. (para. 0008 of the present specification).

Thus, an aspect of the present application is the memorizing of an attribute about a dimension of the image represented by the obtained image data depending on whether the image data represents a two dimensional image without parallax or a three dimensional image with parallax. ("Summary of the Invention").

Davis discloses a conventional two-dimensional display 24 that can display three-dimensional graphical models and animation. However, Davis does not disclose a display that displays a stereoscopic view, such as displaying two sets of image data for each of left and right eyes. In order to clarify this difference, claim 1 has been amended to explicitly recite "for stereoscopic view."

Applicant submits that Davis and Parulski, either alone or in combination, fail to disclose at least the claimed display section. Applicant requests that the rejection be reconsidered and withdrawn.

§ 103(a) Rejection – Davis, Parulski, Tsang

Claim 7 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Davis and Parulski, and further in view of U.S. Patent 6,510,002 (Tsang; newly cited). Applicant has amended claim 7. Applicant respectfully traverses this rejection based on the claim as amended.

Similar to the above for claim 1, claim 7 has been amended to explicitly recite “for stereoscopic view”

Furthermore, claim 7 recites “the controller is capable of generating three dimensional image data from the image data representing a two dimensional image by extracting every other set among sets each comprising R pixel data, G pixel data, and B pixel data from the image data so as to make image data for a left eye, and, then, image data for a right eye is produced by positioning each set comprising R pixel data, G pixel data, and B pixel data included in the image data for the left eye in such a way that the closer said each set is situated to either of right and left ends in a horizontal direction, the more said each set is shifted towards the right end.”

The Office Action admits that Davis and Parulski do not teach the claimed “controller,” and instead relies on Tsang for making up for the deficiency. Applicant submits that Tsang fails to disclose the claimed “controller.” The claimed “controller” generates three dimensional image data in the case that the image data to be displayed by the display section represents a two dimensional image.

To the contrary, Tsang discloses an adapter that may be placed in front of a television screen or computer monitor (i.e., an extension of the television display) to enable three-dimensional images to be perceived by a viewer. Tsang does not disclose generation of three dimensional data to be displayed by the television display. Instead, the adapter includes a liquid crystal polarizer in which the polarization angle is varied by varying an applied voltage. Tsang’s adapter operates based on the “Pulfrich effect” (col. 2, lines 24-26). The Pulfrich effect produces a display based on the same image data with different signal strength level for each of left and right eyes. The different signal strength causes a psychophysical illusion in the visual cortex of

the brain of an image in three dimensions. The procedure is shown in Figs. 6-8 and 10-12, in which the different signal strength is generated from a single set of image data provided for a conventional television.

The section in Tsang at column 3, line 45 to column 4, line 36, which is relied on by the Examiner, discloses image data provided as different video signal levels, as it states that left eye and right eye see “same video signals which have different signal level.”

Applicant submits that it can be seen that Tsang does not teach the claimed controller for the case that the image data to be displayed represents a two dimensional image, for generating three dimensional data, and much less teach generation of two sets of image data for each of left and right eyes. Thus, Tsang fails to disclose at least the claimed controller capable of generating three dimensional image data from the image data representing a two dimensional image, as recited in claim 7.

At least for these reasons, Applicant submits that the rejection fails to establish *prima facie* obviousness. Applicant requests that the rejection be reconsidered and withdrawn.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert Downs** Reg. No. 48,222 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: April 20, 2009

Respectfully submitted,

By Robert D. Damm # 48222
Charles Gorenstein
Registration No.: 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant